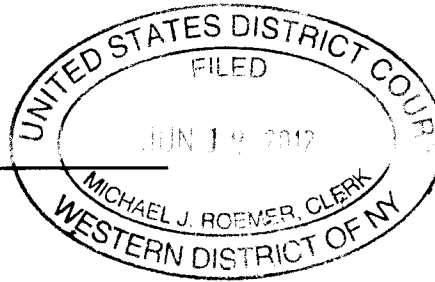


UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF NEW YORK



ELIJAH TURLEY,

Plaintiff,

vs.

06-CV-794S

ISG LACKAWANNA, INC.,
ISG LACKAWANNA, LLC,
MITTAL STEEL USA LACKAWANNA INC.,
MITTAL STEEL USA INC., d/b/a ARCELOR-MITTAL STEEL,
LARRY D. SAMPSELL, GERALD C. MARCHAND,
THOMAS JAWORSKI,

Defendants.

We, the Jury, return the following verdict in Elijah Turley v. ISG Lackawanna, Inc., et al., Docket No. 06-CV-794S.

VERDICT OF THE JURY

Having been instructed on the law applicable to this case, you are now required to return a unanimous verdict. Follow the directions on this form carefully. Your answers to the questions must be unanimous. Any findings you make must be based on a preponderance of the evidence.

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SECTION I

AWARD OF DAMAGES: COMPENSATORY DAMAGES

A. Title VII, § 1981, and New York Human Rights Law Standard – Hostile Work Environment

1. What amount do you award the plaintiff, Elijah Turley, from the following defendants for past, present, and future mental anguish, emotional pain, suffering, inconvenience, and loss of enjoyment of life as a result of a hostile work environment?

- | | | |
|----|---------------------------|---------------------|
| a) | The Corporate Defendants: | \$ <u>1,000,000</u> |
| b) | Larry D. Sampsell: | \$ <u>25,000</u> |
| c) | Gerald C. Marchand: | \$ <u>25,000</u> |
| d) | Thomas Jaworski: | \$ <u>10,000</u> |

Proceed to Question 2.

B. Intentional Infliction of Emotional Distress Standard

2. What amount do you award the plaintiff, Elijah Turley, from the following defendants for past, present, and future emotional pain and mental anguish as a result of intentional infliction of emotional distress?

- a) ArcelorMittal Lackawanna, LLC: \$ 250,000
- b) Larry D. Sampsell: \$ 10,000

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SECTION II

AWARD OF DAMAGES: PUNITIVE DAMAGES

A. Title VII and § 1981 Standard

3. Has plaintiff, Elijah Turley, proven by a preponderance of the evidence that a higher management official of the corporate defendants acted with malice or reckless indifference to his federally protected rights?

Yes ✓ No

Proceed to Question 4.

4. Has the plaintiff proven by a preponderance of the evidence that any of the following individual defendants acted with malice or reckless indifference to his federally protected rights?

a)	Larry D. Sampsell	Yes <u>✓</u>	No <u> </u>
b)	Gerald C. Marchand	Yes <u>✓</u>	No <u> </u>
c)	Thomas Jaworski	Yes <u>✓</u>	No <u> </u>

If you answered "Yes" to any defendant in Questions 3 or 4 proceed to Question 5. Otherwise, proceed directly to Question 6.

5. As to those defendants to whom you answered "Yes" in Questions 3 and 4, what amount, if any, do you award the plaintiff for punitive damages:

a)	The Corporate Defendants:	\$ <u>20,000,000</u>
b)	Larry D. Sampsell:	\$ <u>0</u>
c)	Gerald C. Marchand:	\$ <u>0</u>
d)	Thomas Jaworski:	\$ <u>0</u>

Proceed to Question 6.

B. Intentional Infliction of Emotional Distress Standard

6. Has the plaintiff, Elijah Turley, proven by a preponderance of the evidence that the co-workers or supervisors at Arcelormittal Lackawanna, LLC responsible for the conduct he experienced, while acting in furtherance of the corporate employer's business and not for their own personal reasons, acted maliciously, wantonly, or with a recklessness that betokens an improper motive or vindictiveness, or engaged in outrageous or oppressive intentional misconduct, or otherwise showed reckless or wanton disregard of safety or rights?

Yes ✓ No

Proceed to Question 7.

7. Has the plaintiff proven by a preponderance of the evidence that defendant Larry D. Sampsell acted maliciously, wantonly, or with a recklessness that betokens an improper motive or vindictiveness, or engaged in outrageous or oppressive intentional misconduct, or otherwise showed reckless or wanton disregard of safety or rights?

Yes ✓ No

If you answered "Yes" to any defendant in Questions 6 or 7 proceed to Question 8. Otherwise, proceed directly to Page 6.

8. As to those defendants to whom you answered "Yes" in Questions 6 or 7, what amount, if any, do you award the plaintiff for punitive damages:

- a) ArcelorMittal Lackawanna, LLC: \$ 4,000,000
- b) Larry D. Sampsell: \$ 5,000

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I certify the above verdict to be true and accurate.

Dated: June 12, 2012
Buffalo, NY



JURY FOREPERSON

[PLEASE REMEMBER THAT YOUR VERDICT MUST BE UNANIMOUS.]

Now that you have completed the verdict sheet, place it in the envelope provided and seal the envelope. Inform the Court by written note that you have reached a verdict. Do not disclose the verdict to the Court or anyone else until you are asked to do so by Judge Skretny in open Court.